

**REMARKS**

Claims 1, 2, 4-18, and 20-35 are now pending in this application.

***Response to Claim Rejections - 35 USC 112, second paragraph***

Claim 34 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action states, "claim 34 recites 'system' which is vague and indefinite since the common meaning of the term does not clearly determine the statutory class of invention. Since the term system may encompass more than one statutory class, there is a requirement for an indication on the record as to what statutory class of invention the 'system' claim belongs to (see MPEP 2106.IV.B)."

Responsive to this rejection Applicants indicate that the statutory class of the invention for the claim 34 is a machine. Further, Applicants respectfully point out that they cannot find a rejection of the claim 34 in the Office Action mailed on March 4, 2004 for the above described reason.

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Serial Number: 09/881,911

Filing Date: June 15, 2001

Title: METHOD AND SYSTEM TO IMPLEMENT SELLER AUTHORIZED BUYING PRIVILEGES WITHIN A NETWORK-BASED SHOPPING FACILITY

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Dkt: 2043.044US1

CONCLUSION

In accordance with 37 CFR 1.121(b), only the non-compliant sections of Applicants' previously-submitted Amendment and Response has been included in this response. Applicants respectfully request that the Examiner withdraw the non-compliant status and examine the claims as appropriate.

The Examiner is invited to telephone Applicants' attorney at (408) 846-8871 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28 day of January, 2005.

Peter Rebuffoni  
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